



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,095	05/31/2001	Mark L. Roth	SUN1P297/P5168	3100

22434 7590 04/06/2005

BEYER WEAVER & THOMAS LLP  
P.O. BOX 70250  
OAKLAND, CA 94612-0250

EXAMINER
----------

UNGAR, DANIEL M

ART UNIT	PAPER NUMBER
----------	--------------

2132

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/873,095	<b>Applicant(s)</b> ROTH ET AL.	
	<b>Examiner</b> Daniel M. Ungar	<b>Art Unit</b> 2132	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 March 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**RESPONSE TO AMENDMENTS**

1. This action is in response to amendments received 2 March 2005.

**REMARKS / RESPONSE TO ARGUMENTS**

2. Applicants amended claims 6-9 and 15-18 to overcome rejections under 35 U.S.C. 112, second paragraph as being indefinite. Examiner has considered fully the amendments, and they have overcome said rejections. Examiner withdraws rejections under 35 U.S.C. 112 second paragraph from these claims.

3. Applicants' arguments to the rejections under 35 U.S.C. 102 have been fully considered but are not persuasive. With regard to Applicants' argument that Levergood discloses two communication servers as opposed to an application communicating with an application server, Examiner respectfully disagrees. While Applicants argue that the present invention recites an application and application server, the present invention does recite communication with the application server ("*sending* the user information page...", "*returning* a filled out user information page..."), and the limitations recited in the claims do not distinguish it as to preclude communication between two servers. It should be noted that the invention as claimed - as well as the disclosure of Levergood - pertains to a traditional client/server arrangement in which one computer provides a service (server) and the other requests and receives that service (client). In this respect Levergood is equivalent to and anticipates the instant invention. That Levergood labels both computers "server" does not detract from the fact that one provides authentication as an application (server role), and one is the computer accessing the authentication application (client role). Furthermore, the paragraph from Levergood that Applicants quote (column 5, lines 42-52) clearly states that the content server only acts as a proxy for the actual user to the authentication server ("to redirect the user's initial request to an authentication server", "the result of the process is an SID provided from the authentication server to the client"). Thus, even if it were true that the communication takes place between two servers, the content server is clearly acting in the client role of the client/server arrangement and thus anticipates the application in communication with the application server of the instant invention.

4. With regard to Applicants' argument regarding the process Levergood uses when a user does not have an account, Examiner respectfully disagrees. The authentication server of Levergood inherently runs a security application because the act of authentication is a security application. Part of that application is disclosed as opening – the equivalent of "bootstrapping" – a new user account. It is based on user information solicited by a user information request page formed by an application (see column 6, line 58 - column 7, line 14). The user account is based upon security data extracted from the "real-time on-line registration". Note the password (figure 5), credit information (column 7, line 7) contained in the user information request page. Thus Levergood's authentication server handling the opening of a new account for the user is a disclosure of an application server bootstrapping a user account in a user database based upon security data extracted from a filled-out user information request page with the user information request page formed by an application.

***CLAIM REJECTIONS - 35 U.S.C. 102***

5. Regarding claims 1-2, 10-11, and 19, Levergood, et al. disclose, in a browser/server environment, a server requesting credentials from a user "which causes the client browser to prompt the user for credentials", requiring the user to fill out and return information and security data. (see column 6, lines 44-57; Figure 5). This meets the limitations claimed of forming and sending a user information request page. This also meets the limitations of returning the user information request page through a server target on the application server, and of forwarding it to the application on the application server.

Levergood, et al. disclose the use of information and security data provided by the user to initiate a new user account in the database (see column 3, lines 28-38; column 6, line 58 - column 7, line 14), which meets the limitation of bootstrapping a user account in the user database by the application server based upon the extracted security data.

Art Unit: 2132

6. Regarding claims 3 and 12, Levergood, et al. disclose that "the authentication server checks to see if the user qualifies for a new account" (see column 6, line 67 - column 7, line 3), meeting the limitation of making available a set of user security requirements.

7. Regarding claims 4-5 and 13-14, Levergood, et al. disclose a success target and a failure target to provide respective destinations for the bootstrap attempt. These targets are disclosed as URLs capable of being shown in a browser (see Figure 2B; column 7, lines 51-67).

8. Regarding claims 6-9 and 15-18, Levergood, et al. disclose merging the set of security registration requirements and user profile data requirements to collect corresponding user profile data from the user. They are forwarded back, extracted, and stored in a user profile database (see column 6, line 58 - column 7, line 14).

#### CONCLUSION

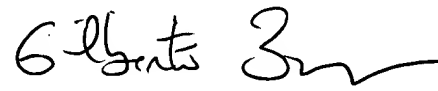
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel M. Ungar whose telephone number is 571.272.7960. The examiner can normally be reached on 8:30 - 6:00 Monday - Thursday, Alt. Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571.272.3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2132

Daniel M. Ungar

  
GILBERTO BARRON JR.  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100